

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

District of Utah

Southern Division

Manager/Member Kevin Max Woods, Woods Hay &
Cattle LLC
Co-Executor/Mananager-Michael-Howard-Reed.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.
If the names of all the plaintiffs cannot fit in the space above,
please write "see attached" in the space and attach an additional
page with the full list of names.)

-v-

Judge- Ann Marie McIff Allen et/al
Chad E. Dotson et/al (#15834)
SAM E. WOODALL et/al
Justen W. Wayment et/al (7011)
Christian Jones, et/al (15873)

Defendant(s)

(Write the full name of each defendant who is being sued. If the
names of all the defendants cannot fit in the space above, please
write "see attached" in the space and attach an additional page
with the full list of names. Do not include addresses here.)

Case: 4:25-cv-00065

Assigned To : Kohler, Paul

Assign. Date : 5/23/2025

Description: Woods et al v. Allen et al

Jury Trial: (check one) ☐ Yes ☒ NoFILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

MAY 23 2025

GARY P. SERDAR
CLERK OF COURT

BY

DEPUTY CLERK

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Kevin Max Woos, Woods Hay & Cattle LLC,		
Address	5923 W 3600 N		
	Beryl	Utah	84714
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Iron		
Telephone Number	435-231-5000		
E-Mail Address	woodshayandcattlellc@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Judge- Ann Marie McIff Allen et/al		
Job or Title <i>(if known)</i>	judge		
Address	unknown		
	Cedar City	Utah	84721
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	UNITED STATES		
Telephone Number	unknown		
E-Mail Address <i>(if known)</i>	unknown		
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	Chad E. Dotson (#15834)		
Job or Title <i>(if known)</i>	County Elected Attorney		
Address	82 North 100 East, Suite 201		
	Cedar City	UTAH	
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	UNITED STATES		
Telephone Number	(435) 865-5310		
E-Mail Address <i>(if known)</i>	cdotson@ironcounty.net		

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☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name SAM E. WOODALL (#17126)

Job or Title *(if known)* County Appointed Attorney

Address 82 North 100 East, Suite 201

Cedar City	Utah	84720
<i>City</i>	<i>State</i>	<i>Zip Code</i>

County UNITED STATES

Telephone Number (435) 865-5310

E-Mail Address *(if known)* swoodall@ironcounty.net

☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name Justen W. Wayment et/al (7011)

Job or Title *(if known)* DNR State of UTAH Attorney,

Address 51 E. 400 N., Suite one PO Box 1808

Cedar City	UTAH	84721
<i>City</i>	<i>State</i>	<i>Zip Code</i>

County UNITED STATES

Telephone Number (435) 586-3300

E-Mail Address *(if known)* Email: jwayment@waymentandjoneslaw.com

☒ Individual capacity ☒ Official capacity**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Violation of due process of law, violation of the First Amendment, wrongful conversion of the Executor Members/Managers,

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Right to Be Heard: Procedural due process requires notice and an opportunity to be heard “at a meaningful time and in a meaningful manner” (Mathews v. Eldridge, 424 U.S. 319, 1976). when Judge Allen barred Reed from speaking during the June 1, 2023, hearing—despite his dual roles with direct stakes in the litigation—this could constitute a clear deprivation. As executor, he represents the estate’s ownership of the LLC; as manager, he controls its operations under Utah Code § 48-3a-401. Silencing him in open court undermines both roles.

Violation of colorable rulemaking section 14-802, States that as A Co-Executor of Wood's Estate and manager of Wood's Hay and Cattle, appointed manager under Utah Code § 48-3a-401.

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Defendants Justin Wayment Samuel E Woodall Chad Dotson, directed that Executor/Mananager-Woods Estate and woods Hay and Cattle, Michael-Howard-Reed. would not allow

Executor/Mananager-Michael-Howard-Reed. For cross-examining witnesses in the case,

Right to Be Heard: Procedural due process requires notice and an opportunity to be heard “at a meaningful time and in a meaningful manner” (Mathews v. Eldridge, 424 U.S. 319, 1976). when Judge Allen barred Reed from speaking during the June 1, 2023, hearing—despite his dual roles with direct stakes in the litigation—this could constitute a clear deprivation. As executor, he represents the estate’s ownership of the LLC; as manager, he controls its operations under Utah Code § 48-3a-401. Silencing him in open court undermines both roles.

Violation of colorable rulemaking section 14-802, States that as A Co-Executor of Wood's Estate and manager of Wood's Hay and Cattle, LLC. appointed manager under Utah Code § 48-3a-401,

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

The violations occurred in the Iron County Attorney's office, and the Fifth Judicial District court,

- B. What date and approximate time did the events giving rise to your claim(s) occur?

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June 1, 2023 at 7:00 to 10:15 AM in the morning in the Fifth District Court Iron County, state of Utah.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

On June 1, 2023 at 10:13 AM Judge Anne-Marie McIlff Allen violating the operating charter for member manager Kevin Max Woods, and came into Woods Hay and Cattle LLC, certificate of organization contract, for which states the member managers can represent the LLC in all capacities, Judge Ann Marie McIlff Allen by doing so has come in as a third-party interloper and has lost all of immunity qualified immunity and absolute immunity for her actions in this case whereas the Right to Be Heard: Procedural due process requires notice and an opportunity to be heard "at a meaningful time and in a meaningful manner" (Mathews v. Eldridge, 424 U.S. 319, 1976). If Judge Allen barred Reed from speaking during the June 1, 2023, hearing-despite his dual roles with direct stakes in the litigation-this could constitute a clear deprivation. As executor, he represents the estate's ownership of the LLC; as manager, he controls its operations under Utah Code § 48-3a-401. Silencing him in open court undermines both roles.o Compounded Harm: If the alleged ex parte hearing occurred beforehand and shaped the June 1 ruling (e.g., deciding Reed couldn't represent the LLC), then barring him from speaking in open court doubles down on the due process violation. He was excluded from both a secret proceeding and the public one where he could've challenged it. This pattern suggests a systematic denial of his rights, bolstering a § 1983 claim.

Appearance of Bias: Silencing Reed after an ex parte hearing could imply prejudgment, further eroding the hearing's fairness. While judicial immunity protects most rulings, this combination might push the judge's actions toward a reviewable constitutional error.Reed's dual roles: Executor of the estate owning Woods Hay and Cattle, LLC, and manager under Utah law.

Ex parte hearing: On or before June 1, 2023, Judge Allen allegedly held a hearing without notice to Reed, possibly deciding his representation rights.

June 1, 2023, hearing: Judge Allen barred Reed from speaking in open court, preventing him from asserting his rights as manager or executor, and denied him the ability to represent the LLC.

Harm: Reed couldn't defend the LLC's interests (affecting the estate) or exercise his managerial authority, leading to potential financial or legal losses.

And also Judge Allen from the transcripts of June 1, 2023 on page 7 she told Kevin Max Woods manager member and creator of Woods Hay and Cattle LLC it would be this court's view that Mr. Woods would not be able to represent that entity, where in for Judge Allen has now violated Woods Hay and Cattle LLC certificate of organization contract where it explicitly states that the member managers of Woods Hay and Cattle by and through the operating agreement can represent the LLC in all capacity whereas this is a violation of due process of law, third-party interloper into a contract abridging that contract, by judge Alan's decision this put Woods Hay and Cattle LLC in default, at that hearing whereas she issued a TRO temporary restraining order against would say in cattle and put Woods and Cattle LLC under threat the rest and coercion for compelling them for going into arbitration and mediation on this issue where the counter claim defendants Iron County, Escalante Farms, Holt Farms, were in default, whereas judge Allen did not take any of this into consideration and violated the laws of the case.

Please see exhibit proceedings June 1, 2023.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

- o As Co-Executor of the Woods Estate, Woods Hay and Cattle, LLC, and appointed manager under Utah Code § 48-3a-401.
- o Ex parte hearing: On or before June 1, 2023, Judge Allen allegedly held a hearing without notice to Reed, deciding his representation rights.
- o Representation denial: At the June 1, 2023, hearing, Judge Allen barred Reed from representing the LLC despite his manager status, possibly ignoring LLC law or operating agreement provisions.
- o Harm: Loss of ability to defend the LLC's interests, affecting the estate and Reed's managerial duties. And injured Kevin Max Woods, Woods Hay and Cattle LLC, and barring them from due process of law.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Relief Sought, temporary restraining order against Fifth Judicial Court in and for Iron County state of Utah case number 220500096, Judge med Anderson; and

- o Declaratory judgment (e.g., ruling was unconstitutional).
- o Injunctive relief (e.g., vacate the prior ruling, allow Reed to represent the LLC).
- o Damages (if immunity is overcome, e.g., for financial losses).
- o Attorney fees under 42 U.S.C. § 1988.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

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A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/19/2025

Signature of Plaintiff

Printed Name of Plaintiff

Kevin Max Woods
Co Executor, Mananager/Member Kevin Max Woods

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address